

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
EXECUTIVE COMMITTEE
MINUTES OF PUBLIC HEARING**

DATE.....October 6, 2004
TIME.....4:30 P.M.
PLACE.....CO. OFFICE BLDG
20 N. 3RD STREET
LAFAYETTE, IN 47901

**MEMBERS PRESENT
PRESENT**

Mark Hermodson
Dave Williams
Gary Schroeder
Atty.
Carl Griffin
KD Benson
Steve Schreckengast

MEMBERS ABSENT

Bob Bowman

STAFF

Margy Deverall
Kathy Lind
Jay Seeger,

Bianca Bullock

Mark Hermodson called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes of the September 1, 2004 Executive Committee public hearing as submitted. Carl Griffin seconded and the motion carried by voice vote.

II. NEW BUSINESS

None

Gary Schroeder moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, the Unified Subdivision Ordinance for Tippecanoe County, Indiana, are hereby entered by reference into of each agenda item. Carl Griffin seconded and the motion carried by voice vote.

III. PUBLIC HEARING

A. Subdivisions

1. S-3564 – DAYTON PINES SUBDIVISION (Minor-Sketch):

Petitioners are seeking primary approval for a 2-lot subdivision on 4.49 acres, located at the northeast corner of Dayton Road and Wesley Drive, in the Town of Dayton, Sheffield 09 (NW) 22-3. CONTINUED FROM THE SEPTEMBER AREA PLAN COMMISSION MEETING.

Gary Schroeder moved to hear and approve the above-described request. Carl Griffin seconded.

Kathy Lind presented slides of the zoning map, 2 aerial photos, and development plan. She recapped the staff report with recommendation of approval contingent on the following:
FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat Approval:

1. A "No Vehicular Access" statement shall be platted along the Dayton Road right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgement from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded.)

4. All required building setbacks shall be platted.
5. The street addresses and County Auditor's Key Number shall be shown.
6. The parcelization of this property, P84-29, shall be dissolved prior to recordation of the final plat.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Robert Grove, 1930 Kossuth Street, Lafayette IN, concurred with the staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval for **S-3564 – DAYTON PINES SUBDIVISION (Minor-Sketch)**.

IV. APPROVAL OF THE OCTOBER 20, 2004 AREA PLAN COMMISSION AGENDA **A. ORDINANCE AMENDMENT**

Gary Schroeder moved that the following ordinance amendment be placed on the October 20, 2004 Area Plan Commission Public Hearing agenda:

UZO AMENDMENT #46

Carl Griffin seconded and the motion carried by voice vote.

B. REZONES

Gary Schroeder moved that the following rezone petitions be placed on the October 20, 2004 Area Plan Commission Public Hearing agenda:

Z-2198 – SMITH ENTERPRISES, INC. (R1B TO NB)
Z-2209 – ALAN WHITE (R1B TO NBU)
Z-2210 – MENARD, INC. c/o THOMAS W. O'NEIL (NB TO GB)
Z-2211 – COLONY PINES, LLC. (R1B TO GB)
Z-2212 – COLONY PINES, LLC. (R1 TO R1B)
Z-2213 – COLONY PINES, LLC. (R1 TO NB)
Z-2214 – COLONY PINES, LLC. (R1 TO NB)

Carl Griffin seconded and the motion carried by voice vote.

C. SUBDIVISIONS

Gary Schroeder moved that the following subdivision petitions be placed on the October 20, 2004 Area Plan Commission Public Hearing Agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-3579 – BRICK 'N' WOOD COMMERCIAL SUBDIVISION (Major-Preliminary)
S-3580 – LUCK SUBDIVISION (Major-Preliminary)

Carl Griffin seconded and the motion carried by voice vote.

V. REVIEW AND APPROVAL OF THE OCTOBER ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved to place the following petitions on the October 27, 2004 Area Board of Zoning Appeals Public Agenda:

BZA-1674 – BURKHART SIGN SYSTEM
BZA-1677 – RAISOR POWER SPORTS REAL ESTATE I LLC.

Carl Griffin seconded and the motion carried by voice vote.

Gary Schroeder moved that with regard to the following petitions, the sign ordinance be strictly adhered to:

BZA-1674 – BURKHART SIGN SYSTEM

BZA-1677 – RAISOR POWER SPORTS REAL ESTATE I LLC.

Carl Griffin seconded and the motion carried by voice vote.

VI. DETERMINATION OF VARIANCES

A. LAFAYETTE DIVISION OF THE AREA BOARD OF ZONING APPEALS

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

2004-36 – TEMPEST HOMES

2004-37 – SHERRY KIBBE

Carl Griffin seconded and the motion carried by voice vote.

Gary Schroeder moved that with regard to the following petition, the sign ordinance be strictly adhered to:

2004-35 – BURKHART SIGN SYSTEM

Carl Griffin seconded and the motion carried by voice vote.

VII. REVIEW AND APPROVAL OF THE SEPTEMBER BUDGET REPORT

Margy Deverall highlighted the September Budget Report.

Gary Schroeder moved to accept the September 2004 Budget Report as submitted. Carl Griffin seconded and the motion carried by voice vote.

VIII. OTHER BUSINESS

IX. ADJOURNMENT

Gary Schroeder moved to adjourn the meeting. Carl Griffin seconded and the motion carried by voice vote.


The meeting adjourned at 4:45 p.m.

Respectfully submitted,



Bianca Bullock
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director